

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

DARUL AMAANAH ACADEMY,  
TAHSIYN ISMAA'EEL, IMAN  
ISMAA'EEL, individually and for the benefit  
of her minor child, MIA MILLER,  
individually and for the benefit of her minor  
children, DAEWANNA WORD, individually  
and for the benefit of her minor child,  
BAHJEY RIZEQ, individually and for the  
benefit of her minor child and TIANA  
RUSSELL individually and for the benefit of  
her minor child,

Plaintiffs,

v.

CITY OF WILMINGTON, WILMINGTON  
DEPARTMENT OF PARKS AND  
RECREATION, MAYOR MICHAEL S.  
PURZYCKI, in his official and personal  
capacities and KEVIN F. KELLEY, SR., in  
his official and personal capacities,

Defendants.

C.A. No. \_\_\_\_\_

**DEFENDANTS' NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that Defendants City of Wilmington, Wilmington  
Department of Parks and Recreation, Major Michael S. Purzycki, and Kevin F. Kelley, Sr.  
hereby remove this matter to the United States District Court for the District of Delaware,  
pursuant to 28 U.S.C. § 1441. The grounds for removal are as follows:

1. On or about August 22, 2018, Plaintiffs filed a Complaint captioned *Darul Amaanah Academy, et al. v. City of Wilmington, et al.*, C.A. No. 2018-0618 (the "Complaint") in the Court of Chancery of the State of Delaware. Service has not yet been effected upon Defendants.

2. In accordance with 28 U.S.C. § 1446(a), a true and correct copy of all process, pleadings, and orders filed in the case is attached hereto as Exhibit A.

3. Pursuant to 28 U.S.C. § 1446(d), Defendants will promptly provide written notice of removal of the action to Plaintiffs, and will promptly file a copy of this Notice of Removal with the Register in Chancery of the Court of Chancery of the State of Delaware.

4. This action includes claims arising pursuant to 42 U.S.C. § 1983 and Titles II and VI of the Civil Rights Act of 1964, conferring original jurisdiction upon this Court.

5. Removal is proper in any action that could have originally been filed in federal court. 28 U.S.C. § 1441. District courts have original jurisdiction in cases involving a “[f]ederal question,” i.e., cases “arising under the constitution, laws, or treaties of the United States.” 28 U.S.C. § 1331.

6. This Notice of Removal is being filed within 30 days of Defendants’ receipt of the Complaint and is therefore timely filed under 28 U.S.C. § 1446(b).

WHEREFORE, Defendants respectfully request that the above-titled action be removed to this Court from the Court of Chancery of the State of Delaware.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

*/s/ Lauren E.M. Russell*

---

Barry M. Willoughby, Esq. (No. 1016)

Lauren E.M. Russell, Esq. (No. 5366)

1000 North King Street

Wilmington, DE 19801

Telephone: (302) 571-6666; (302) 576-3255

Facsimile: (302) 576-3345; (302) 576-3750

Email: bwilloughby@ycst.com; lrussell@ycst.com

*Attorneys for Defendants*

Dated: August 22, 2018